



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

Ronald E. Elberger, Esq.
Rose, McKinney & Evans LLP
111 Monument Circle
Suite 2700
Indianapolis, Indiana 46204

JUN 18 2009

RE: MUR 6185

Dear Mr. Elberger:

On June 11, 2009, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(b), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Jack Gould".

Jack Gould
Attorney

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6185
Myers for Congress 2008 Committee)
and Alan Mills, his official capacity as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Myers for Congress 2008 Committee and Alan Mills, in his official capacity as treasurer, ("Respondents") violated 2 U.S.C. § 434(b).

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Myers for Congress 2008 Committee is the principal campaign committee of Dr. Woodrow Myers, a candidate in the 2007-2008 election cycle for Indiana's 7th Congressional District.

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2. Alan Mills is the treasurer of Myers for Congress 2008 Committee ("Committee").

3. The treasurer of a political committee must file reports of all receipts and disbursements in accordance with the Federal Election Campaign Act of 1971, as amended ("Act"). 2 U.S.C. § 434(a). Such reports shall disclose the total amount of all receipts and disbursements for that reporting period and calendar year. 2 U.S.C. § 434(b).

4. On April 23, 2008, Respondents filed with the Commission the Committee's 2008 12 Day Pre-Primary Report disclosing \$2,205 in receipts and \$232,251.31 in disbursements.

5. On July 15, 2008, Respondents filed an amended 12 Day Pre-Primary Report disclosing \$265,390 in receipts and \$525,923.36 in disbursements.

6. Respondents did not comply with the Act's reporting requirement when they failed to disclose \$263,185 in receipts and \$293,672.05 in disbursements on the Committee's original 2008 12 Day Pre-Primary Report.

V. Respondents violated 2 U.S.C. § 434(b) by failing to accurately report the receipts and disbursements in the original 2008 12 Day Pre-Primary Report.

VI. Respondents will cease and desist from violating 2 U.S.C. § 434(b).

VII. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Fifteen Thousand Dollars (\$15,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Thomasenia P. Duncan
General Counsel

BY:

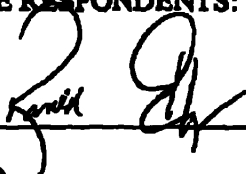

Ann Marie Terzaken
Associate General Counsel
for Enforcement

Date

6/16/09

FOR THE RESPONDENTS:

(Name)
(Position)



Date

5/20/09

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